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SOUTH CAROLINA STATE BOARD OF ENGINEERING EXAMINERS

ANNUAL REPORT FOR FISCAL YEAR 1976-77



Printed Under the Direction of the
State Budget and Control Board

August 24, 1977

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August 24, 1977

The Honorable James B. Edwards
Governor of South Carolina
State House
Columbia, South Carolina 29211

Your Excellency:

The mission of the South Carolina State Board of Engineering Examiners is to safeguard the life, health, property and welfare of the public and to establish and maintain high standards of integrity, skill and practice in the profession of engineering and land surveying.

Any person in public or private capacity practicing or offering to practice engineering or land surveying is required to submit evidence that he is qualified to do so and must be licensed by the State for practice. The State Board of Engineering Examiners evaluates applicants for licensing as Professional Engineers and Land Surveyors, examines applicants by oral and written examinations, and administers the Code of Laws of South Carolina (Title 40, Chapter 21, (1976) with particular emphasis on licensing requirements and qualifications for practice. In addition, there is constant attention provided to our Enforcement and Compliance Program in the investigation of complaints of violations or infractions of the Code of Laws of South Carolina governing the practices of engineering and land surveying, including the Rules of Professional Conduct promulgated under the provisions of the State statute.

The Engineering Board came into existence in 1922 and has historically operated through collection of fees for registration, examinations and annual renewal of registrations in an amount fairly and reasonably approximating the necessary expenses of our operations. For more than five decades all funds collected have been deposited with the State Treasurer, paid out only upon approval of the State Budget and Control Board, and annual audits have been conducted by the Office of the State Auditor. Effective July 1, 1976, the State Board of Engineering Examiners, by provisions of the 1976-77 Appropriations Bill passed by the General Assembly and enacted by Your Excellency, became dependent upon an annual appropriation by the General Assembly, but with a proviso that the Board

shall levy fees in an amount to at least equal the amounts appropriated.

The members and staff of the State Engineering Board are proud to state that the Board has over the years maintained a self-sustaining operation due to financial restrictions imposed by the State Registration Law and has demonstrated during this fiscal year that it can continue to do so as an appropriated agency, within the self-sustaining objectives of the General Appropriations Bill, and without imposing a financial burden on the public.

The Board enjoys the cooperation and support of more than 4,500 registrants and enthusiastic members of the engineering and land surveying organizations, who have consistently and wholeheartedly supported efforts to elevate economic standards, health and educational levels of the populace of the State. In the coming year, the Board, with the help of these dedicated persons, will vigorously pursue its continuing programs aimed at improving the education, skills and practices of these professionals so as to ensure ever increasingly competent and responsible professional services to the public.

Respectfully submitted,

Carlton T. Wise, Chairman

B.L. Baker, Secretary

**SOUTH CAROLINA
STATE BOARD OF ENGINEERING EXAMINERS
BOARD MEMBERS**

H.B. Speissegger, Jr., P.E. Chairman
S.C. Electric and Gas Company
P.O. Box 760, Charleston, S.C. 29405

(Term expires July 1, 1979)

Goodwin G. Thomas, P.E. Vice-Chairman
Goodwin G. Thomas & Associates
P.O. Box 2676, Rock Hill, S.C. 29730

(Term expires July 1, 1981)

B.L. Baker, P.E. Secretary
Professor Emeritus, University of South Carolina
819 Burwell Lane, Columbia, S.C. 29206

(Term expires July 1, 1978)

Carlton T. Wise, P.E. Member
200 Aberdeen Drive
Greenville, S.C. 29605

(Term expires July 1, 1982)

L.L. McNair, P.E. Member
McNair, Gordon, Johnson & Karasiewicz
P.O. Box 84, Columbia, S.C. 29202

(Term expires July 1, 1980)

Ferrell J. Prosser, R.L.S. Member
Ferrell J. Prosser and Associates
P.O. Box 12097, Florence, S.C. 29504

(Term expires July 1, 1978)

S.C. STATE BOARD OF ENGINEERING EXAMINERS

ORGANIZATION AND DESCRIPTION OF ACTIVITIES

The S.C. State Board of Engineering Examiners is charged by law to safeguard life, health and property and to promote the public welfare. Any person in public or private capacity practicing or offering to practice engineering or land surveying in South Carolina is required to submit evidence that he is qualified to practice and must be licensed by the State to do so. The Board evaluates applicants for licensing professional engineers and land surveyors, examining applicants by both oral and written examinations, and implements the laws of the State of South Carolina governing the practice of engineering and land surveying, especially those involved in licensing requirements for practice and those governing violations of the practice of engineering and land surveying.

Board of Examiners

The Board of Examiners consists of five (5) Registered Professional Engineers and one (1) Registered Land Surveyor appointed by the Governor for five-year terms. Board meetings are held every three months and special meetings are held at such times as necessary. Board Members serve without compensation other than per diem allowance when actually attending to business of the Board and are reimbursed for necessary travel expenses in accordance with regulations of the Budget and Control Board. The Secretary-Member of the Board is charged with the final authorization of all monies received by and disbursed by the Board.

Administrative Staff

Executive Secretary	Mary M. Law
Special Investigator	Roland E. Trent
Secretary II	Ginny B. Jarrett
Secretary I	Becky M. Farmer

The administrative staffing consists of an Executive Secretary, Special Investigator and two secretaries. The Executive Secretary is in full charge of the administrative duties of the office, accountable to the Board Members; plans, organizes and directs activities of the Board and is responsible for carrying out the duties of the Board which are required and necessary to provide the service of licensing of Professional Engineers and Land Surveyors in South Carolina in

accordance with the Code of Laws regulating such practice. The Special Investigator is in charge of the Board's Enforcement and Compliance Program which involves investigation of violations and infractions of the Code of Laws, 1976, as amended, including Rules of Professional Conduct and Practice of Land Surveying in accord with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina.

STATISTICAL DATA

	1974-75	1975-76	1976-77
APPLICATIONS PROCESSED:			
Professional Engineers	480	580	601
Land Surveyors	100	89	91
Engineers-in-Training (students)	210	402	412
Total applications processed	<u>790</u>	<u>1,071</u>	<u>1,104</u>

EXAMINATIONS ADMINISTERED:			
Professional Engineers	180	239	270
Land Surveyors	72	101	112
Engineers-in-Training	407	488	469
Total Examinations Administered	<u>659</u>	<u>828</u>	<u>851</u>

REGISTRATIONS & CERTIFICATIONS:			
Professional Engineers (licensed)	368	408	397
Land Surveyors (licensed)	50	19	40
Engineers-in-Training (certified)	331	365	372
Total Registrations & Certifications	<u>749</u>	<u>792</u>	<u>809</u>

RENEWAL OF LICENSES:			
Professional Engineers	3,303	3,585	3,868
Professional Engineers & Land Surveyors	255	253	235
Land Surveyors	494	495	496
Total Active Registrants	<u>4,052</u>	<u>4,333</u>	<u>4,599</u>

Board activities for fiscal year 1976-77 include nine (9) meetings of the Board, in addition to examinations held in November 1976 and April 1977, in Columbia, Charleston and Clemson. Since commencing operations in 1922, the Board has registered 6,687 candidates as Professional Engineers and Land Surveyors. As of June

30, 1977, a total of 2,088 of these registrants had their certificates recorded as being in a lapsed status due to death, retirement from practice or failure to renew their registrations due to other reasons. (Many registrants fail to renew by June 30 each year but do pay within the one-year grace period allowed). As of June 30, 1977, there remained a current number of 4,599 registrants in a current and active status.

The Board also maintains a very active program of certification of Engineers-in-Training, primarily involving college senior engineering students, who are provided an eight-hour examination in the Fundamentals of Engineering and, where successful, issued certificates of registration as Engineers-in-Training. A total of 4,932 Engineers-in-Training have been certified by the Board, with most of these ultimately becoming certified as Professional Engineers after satisfying the required four-year professional experience criterion called for by law and successfully passing a second eight-hour examination in the Principles and Practices of Engineering. This procedure is in accord with certification procedures employed and followed in most of the states of the United States; is vitally necessary so as to allow for comity registrations between states, and to achieve an optimum degree of national uniformity in the licensing and certification of Professional Engineers and Land Surveyors for qualified and competent service to the public.

**S.C. STATE BOARD OF ENGINEERING EXAMINERS
FINANCIAL STATEMENT**

July 1, 1976 to June 30, 1977

Revenue Credited to General Fund

Renewal Fees		\$ 97,740.00
Application Fees:		
Professional Engineers	18,030.00	
Land Surveyors	2,275.00	
Engineers-in-Training	6,180.00	26,485.00
Re-Examination Fees		911.50
Certificate Fees		<u>2,240.00</u>
Total Deposited in General Fund FY 1976-77		<u><u>\$127,376.50</u></u>

Expenditures

PERSONAL SERVICES		
Salaries	48,764.00	
Per Diem	<u>1,900.00</u>	
Total Personal Service		50,664.00

OTHER OPERATING EXPENSES

Contractual Services

Freight	28.00	
Travel	6,425.00	
Telephone	1,096.00	
Repairs	285.00	
Printing	6,047.00	
Other Contractual Services	563.00	
Professional & Other Fees	725.00	
In-Service-Training	<u>125.00</u>	15,294.00

Supplies

Office Supplies	17,423.00	
Motor Vehicle Supplies	590.00	
Postage	<u>7,726.00</u>	25,739.00

Fixed Charges & Contributions

Office Rent	5,820.00	
Other Rent	581.00	
Data Processing	5,174.00	
Dues	1,785.00	
Insurance	<u>294.00</u>	13,654.00

Equipment

Office Equipment	<u>47.00</u>	47.00
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Total Other Operating Expenses		<u>54,734.00</u>
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Total Expenditures FY 76-77		<u><u>\$105,398.00</u></u>
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NOTE: Although not appropriated, the Board provided funds to cover Employee Benefits in the approximate amount of \$7,562.00.

ENFORCEMENT AND COMPLIANCE PROGRAM

During the fiscal year 1976-1977, the Board's enforcement and compliance activities have continued to encompass a variety of matters involving violations of the Code of Laws of South Carolina (formerly Title 56, Chapter 12), which has been newly codified as the Code of Laws of South Carolina, 1976, Title 40, Chapter 21. The former "Rules and Regulations" of the Board in 1976 were also codified under the South Carolina Code of Regulations (Chapter 49) including codification of the Rules of Professional Conduct, now Sections 49-12 through 49-18. By Act 105 of the 1977 legislative session new legislation advocated and promoted by the South Carolina Society of Registered Land Surveyors and endorsed by the South Carolina Council of Engineering Societies became effective as of July 1, 1977. This new legislation redefined the practice of land surveying and defined a new category of certification as a "Land Surveyor-in-Training." By Act 105, the Board was also empowered to suspend or refuse to grant a certificate of registration or to reprimand a registrant for certain violations, including violation of the Rules of Professional Conduct. Act 105 also made adjustments in registration and re-examination fees so as to permit the Board to maintain a self-sustaining operation as required by the Annual Appropriations Bill of the General Assembly. Certain other provisions having to do with a twelve-month temporary permit period for the practice of engineering or land surveying by persons registered in states other than South Carolina on one single job or project was also included in this legislation. Prior to July 1, 1977 the Board's disciplinary authority was primarily limited to a revocation action and the added suspension and reprimand powers are expected to allow the Board to make increasingly fair and reasonable dispositions of violations matters.

The Board published a new pamphlet containing the Code of Laws of South Carolina (1976) as amended by Act 105 effective July 1, 1977, and including the Code of Regulations (Chapter 49) as well as the Rules of Professional Conduct and reference to the Minimum Standards Manual for the Practice of Land Surveying in South Carolina. These pamphlets are made available to the general public as well as all registrants.

During the fiscal year 1976-77 the Board also adopted and promulgated as a part of its Regulations the Minimum Standards Manual for the Practice of Land Surveying in South Carolina. It is

anticipated that this Manual will be of considerable value to property owners in South Carolina in engaging the services of qualified personnel to establish corners and boundaries to their respective properties with a degree of accuracy that will stand the test of time. It is also anticipated that this Manual will assist the Clerks of Court in receiving and accepting maps for recordation; which maps, in complying with the standards of this Manual, will be accurate and complete in detail. This Manual was adopted by the Board and defined as constituting acceptable standards for competent performance in the practice of land surveying. Registrants found guilty of the practice of land surveying below the level of acceptable performance prescribed in the Minimum Standards Manual may be made subject to disciplinary action prescribed by law following a hearing initiated on a complaint in writing and sworn to by the complainant.

During the fiscal year 1976-77 the Board handled approximately 100 investigative matters and has continued to benefit from legal assistance provided by the Office of the Attorney General for South Carolina. Where the health, welfare and safety of the public has not been endangered or adversely affected, the Board has made every effort to resolve minor violations or infractions through voluntary or cooperative measures between the Board and the persons or firms involved. Most of the complaints received by the Board have been resolved without having to resort to more stringent measures. There follows, however, a summary of enforcement and compliance matters, which did require more stringent action since November, 1973, when the services of a Board investigator were initiated:

Prosecution by Office of the Attorney General	— 2 Cases
Engineering Certificate Revoked	— 1 Case
Permanent Court Injunctions Issued	— 2 Cases
Engineering Practice Matter disposed of in S.C. Supreme Court	— 1 Case
Certificate Relinquished by Subjects of Investigation	— 2 Cases
Certificate not Renewed Following Investigation	— 2 Cases
Application Rejected due to Deceit and/or Unlicensed Practice	— 2 Cases
Application Rejected due to Unethical Examination Conduct	— 1 Case
Letter of Caution Issued Following Investigation	— 20 Cases
Warning and Caution Letter Issued by Attorney General	— 3 Cases

Registrant Appearing Before Board to
to Explain Practices

—12 Cases

During the fiscal year a concerted effort has been made toward concentration on the quality rather than the quantity of enforcement matters and it is felt that the results achieved over previous years accomplishments have been noteworthy. As examples, one person posing illegally as a Registered Professional Engineer was prosecuted and received a substantial sentence and fine; certificates of registration surrendered or not renewed following investigation increased substantially, and letters of caution issued by the Board increased more than 100% during fiscal year 1976-77.

Additional matters involving illegal use of the term "Engineering" by firms employing no registered engineer; unlicensed practice of land surveying; so-called "rubber-stamping" of work by unlicensed persons in the absence of direct supervision and responsibility of a licensed individual as called for by law, and miscellaneous enforcement matters have also been investigated and resolved or are now pending appropriate disposition. The Board has also cooperated with other registration boards of many other states in handling investigative matters of mutual interest between the South Carolina Board and these other boards. Matters of National interest have also been provided to the National Council of Engineering Examiners for publication.

Participation in ethics seminars and participation by Board Members and personnel at professional society meetings has also been an important part of the Board's enforcement and compliance program. The Board Members and personnel are indeed grateful for these opportunities to meet and discuss the Board's responsibilities and activities with representatives of the various professional societies in the State.

In cooperation with the State Personnel Division, the Board has also reviewed and analyzed a large number of State engineering position classifications with a view toward encouraging professional registration by all qualified candidates in State Government. The Board Members feel that more extensive professional registration by qualified State engineering position personnel will go far toward protecting the welfare of the public through the examination and registration procedures called for by law and toward ensuring a closer working relationship and mutual respect between registered engineers in the private sector and those in State Government.

The continuing interest, enthusiasm and cooperation received from Professional Engineers, Registered Land Surveyors, their respective society organizations, and from the public at large has contributed most materially to the effectiveness of the Board's enforcement and compliance program. This vital assistance is at all times appreciated, and the Board earnestly solicits continuing support and suggestions toward ensuring optimum effectiveness in a substantially self-policing effort.

S.C. STATE BOARD OF ENGINEERING EXAMINERS

FUTURE OBJECTIVES

Maintain close and continuing liaison with Ethics Chairmen of professional organizations, and in the industrial and private sectors, so as to accomplish a common goal of ensuring that the public is protected to the fullest extent possible against unlawful or incompetent practice by persons not qualified by education, experience and examination to render professional services to the public.

Continue to press for more extensive accreditation of schools and colleges in South Carolina by the Engineering Council for Professional Development.

In cooperation with the Engineering and Land Surveying Societies, make public appearances, day-to-day contacts with news media representatives and others, so as to emphasize the importance of the Board's Enforcement and Compliance Program as a substantially self-policing endeavor by the Board and the many responsible and involved professional persons who support this endeavor.

Continue to encourage more extensive professional registration by all qualified candidates in State and Federal Government, as well as in industry and the private practice sectors, as a means of further ensuring an optimum degree of protection to the public, and also to the candidate, through the examination and certification procedures provided by law.

Work closely and effectively with the National Council of Engineering Examiners, which we feel most fortunate to have headquartered at Seneca, South Carolina, in a continuing effort to ensure greater uniformity in engineering and land surveying registration requirements among the various states of the United States. More uniform standards of education, experience and

examination requirements among the various states facilitates comity or reciprocity registration arrangements between the State Boards of Registration and provides for a more uniform degree of protection to the public on a nation-wide basis.

Perform an annual review of the Minimum Standards Manual for the Practice of land Surveying in South Carolina so as to make any changes in this Manual which may be appropriate and called for as a result of suggestions from registrants and the public at large.

Closely follow the effectiveness and efficiency of a new computerized system instituted through the cooperation of the Budget and Control Board, Division of General Services. This system allows for a rapid correlation of registration renewals, an accurate accounting of fee receipts, provides a print-out from which our annual Directory of Engineers and Land Surveyors registered in South Carolina may be printed and published, and for printing of address labels for necessary periodic mailings. This system also provides for application form work numbers and registration records, which will produce statistical data without the necessity of hand counting and manual records keeping.

Closely follow, review and analyze all income and expenses of the Board so as to ensure efficient operations and proper services to registrants and the public, within the spirit and intent of the South Carolina Appropriations Bill for 1977-78. This Bill makes the Board dependent upon the General Assembly as an appropriated agency of the State of South Carolina and contains a provision that all assessments, fees and/or licenses shall be levied in an amount sufficient to at least equal the amount appropriated, notwithstanding the provisions of the 1962 Code of Laws of South Carolina, as amended.

S.C. STATE BOARD OF ENGINEERING EXAMINERS
PUBLICATIONS

1. **DIRECTORY OF ENGINEERS AND LAND SURVEYORS REGISTERED IN SOUTH CAROLINA** (annually)
2. **CODE OF LAWS, 1976, TITLE 40, CHAPTER 12**, regulating the practice of Engineering and Land Surveying in South Carolina (publish as amended)
3. **CODE OF REGULATIONS PROMULGATED BY THE BOARD** under Authority of Section 40-21-110 of the 1976 Code of Laws
4. **RULES OF PROFESSIONAL CONDUCT** (Promulgated under Authority of Section 40-21-110 of the Act)
5. **MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING** (Promulgated under Authority of Section 40-21-110 of the Act)